

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Crl.MC.No. 230 of 2007()

STC.968/2006 of JUDL. MAGISTRATE OF FIRST CLASS-II, HOSDRUG

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PETITIONER: ACCUSED:

A.B. ABDUL KALAM, AGED 35 YEARS,
S/O.KUNHAMU, RESIDING AT POVVAL,
MULIYAR P.O., CHENGALA VIA,
KASARAGOD DISTRICT.

BY ADV. SRI.SURESH KUMAR KODOTH

RESPONDENTS: COMPLAINANT & STATE:

1. SASIDHARAN, AGED 35 YEARS,
S/O.KUNHIKANNAN, RESIDING AT NELLIYADUKKAM,
KATTIPOYYIL P.O., REPRESENTED BY HIS POWER
OF ATTORNEY HOLDER A.K.MADHU, S/O.KUNHIKANNAN,
CHANGAD HOUSE, KATTIPOYYIL, KINANOOR VILLAGE,
HOSDURG TALUK.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY P.P. SRI.GIKKU JACOB.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 31/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J
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Crl.M.C. No. 230 of 2008
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Dated:17-01-2008

ORDER

The petitioners who are son-in-law of the 2nd respondent/complainant , the mother and sister of the first petitioner respectively seek to quash Annexure – A1 f.I.R. in Crime No. 1025 of 2005 of Kollam East Police Station . Complaint in this case is a sequel to Crime No. 50 of 2006 of Palarivattom Police Station which was eventually registered as C.C. 4591 of 2006 before the J.F.C.M.I, Ernakulam, for an offence punishable under Section 498 A I.P.C. C.C. No. 4591 of 2005 was quashed by this Court pursuant to a settlement between the marital partners. Annexure A3 is the order dated 23-11-2007 in Crl.M.C. No. 3478 of 2007 by which this court quashed the proceedings in C.C. 4591 of 2006 pursuant to a settlement between the marital partners. As a corollary to the said order the

present crime registered pursuant to the disputes between the marital partners also cannot survive. The learned counsel for the 2nd respondent /complainant also submitted that dispute in the present case is also been settled between the parties. Under these circumstances, I see no reason why this Court should not apply the decision in **B.S. Joshy v. State of Haryana [AIR 2003 SC 1386]** to terminate the proceedings so as to see that the matrimonial peace and harmony is restored between the marital partners and their relatives. Accordingly, the f.I.R. in Crime No. 1025 of 2005 of Kollam Police Station will stand quashed and all further proceedings thereafter also is hereby quashed.

This Crl.M.C. is disposed of as above.

**V.RAMKUMAR,
(JUDGE).**